

4676. Misbranding of "Our Standard Remedy." U. S. * * * v. S. Donovan Swan (Standard Medical Society). Plea of nolo contendere. Fine, \$15. (F. & D. No. 7084. I.-S. No. 1740-k.)

On April 17, 1916, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against S. Donovan Swan, trading as the Standard Medical Society, Baltimore Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about December 5, 1914, from the State of Maryland into the State of New York, of a quantity of an article called "Our Standard Remedy," which was misbranded. The article was labeled: (On carton) "Our Standard Remedy. Recommended for the Blood, Liver, and Kidney. Perfectly Harmless. Most satisfactory in its Results. A Vegetable Preparation. For all Diseases Arising from Impure Blood. Recommended for Scrofula, Rheumatism, Liver Complaint, Kidney Disorder, Sick and Nervous Headaches, Neuralgia, Dyspepsia, Indigestion, Chills and Fever, Erysipelas, Malaria, Nervous Affections, Female Diseases, Catarrh, etc., etc. Directions for Use: The first dose for adult should be three tablets at bedtime to start the bile from the liver and remove it from the stomach. After this take one tablet each night on going to bed. Treatment is the same in all cases except chills, Malaria, etc., which require three tablets the first night, two on the next, and thereafter only one tablet at a time. For children, according to age. If tablets are cut give them in preserves, scraped apple, etc. 51 Doses. Guaranteed by The Standard Medical Society under the Pure Food and Drugs Act, June 30, 1906. Serial No. 1676. The proprietary or Patent Medicine Act, of Canada, registered number 1705. The Standard Medical Society Proprietors, Baltimore, Maryland."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the tablets contained rhubarb, senna, scoparius, licorice, capsicum, and some ammonia compound; aloes, also, indicated.

Misbranding of the article was alleged in the information for the reason that the following statements and devices regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On carton) "Our Standard Remedy A Vegetable Preparation for all Diseases Arising from Impure Blood Recommended for Scrofula, Rheumatism, * * * Kidney Disorder, * * * Neuralgia, Dyspepsia, Indigestion, * * * Chills and Fever, Erysipelas, Malaria, * * * Female Diseases, Catarrh, * * *," were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for all diseases arising from impure blood, scrofula, rheumatism, kidney disorders, neuralgia, dyspepsia, indigestion, chills and fever, erysipelas, malaria, female diseases, and catarrh, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

On April 17, 1916, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$15.

CARL VROOMAN, *Acting Secretary of Agriculture.*